IN THE HIGH COURT OF SINDH, KARACHI

Cr. Misc. Application No.674 of 2026

Present:
Mr. Justice Muhammad Iqbal Kalhoro
Mr. Justice Jawad Akbar Sarwana

Applicants:-	Anas Shafqatullah and another through Raja Rashid Ali, advocate.
Respondent No.1:-	Mst. Naheed Parveen through Mr. Muhammad Imran Abbasi, advocate
Respondent Nos. 2 & 3:-	IO Mst. Sultana Wazir, Sub-Inspector FIA, State Bank Circle, Karachi is present a/w Mr. Khaleeq Ahmed, Deputy Attorney General.
Date of hearing:-	12.11.2026

O R D E R

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MUHAMMAD IQBAL KALHORO J: We have heard parties at some length. The applicants are aggrieved by the impugned order whereby the learned Magistrate has forwarded the Challan in subject crime and offence to the Special Court under Offences in Respect of Banks (Special Courts) Ordinance, 1984 for a trial. The case of the applicants is that the Special Court holding such trials has no jurisdiction to try the case for the reason that the alleged offence has nothing to do with any affairs of the bank, nor the bank has suffered any loss.

2. However, the facts of the case show that allegedly applicants had opened a fake account in another bank viz. Bank Islami Pakistan Limited in the name of company of which they were co-owners with respondent No. 1. They would deposit the cheques there instead of in the original bank account in the other bank in order to misappropriate the amounts.

3. It is apparent that the bank account was used by the applicants in commission of the alleged offence. Hence, *prima facie* expression “in connection with” or “in relation with business of a bank” used in section

2(d) of Offences in Respect of Banks (Special Courts) Ordinance, 1984 which has been interpreted by the Courts time and again widely is *prima facie* attracted.

4. Apart from that, it is not disputed that opinion expressed in the impugned order is tentative in nature. It is subject to the evidence to be recorded in the trial. If in the trial any material comes on record which suggests that the Special Court has no jurisdiction, the applicants could file the relevant application for transfer of the case to the Court of ordinary jurisdiction. However, at this stage when *prima facie* the material suggests a scheduled offence under 1984, Ordinance, jurisdiction of the Special Court is attracted. And hence we cannot agree with the case of the applicant and set aside the impugned order.

5. At this stage, learned counsel for applicants has expressed that he may be permitted to move application before the trial Court after recording of evidence for the same relief. He may but it shall be decided on merits and according to law.

6. Accordingly this application is dismissed in above terms.

JUDGE

JUDGE

HANIF